

WASHINGTON STATE BOARD OF OPTOMETRY
MINUTES OF MEETING

A meeting of the Washington State Board of Optometry was called to order at 9:00 a.m., on Friday, September 15, 2006, by Jeffrey Sutro, O.D., Chair. The meeting was held at the Department of Health Offices, 20435 72nd South, Kent Washington.

BOARD MEMBERS

PRESENT:

Jeffrey Sutro, O.D.
Mary Lou Staples, Public Member
Laura Toepfer, O.D.
Mariann Tonder, O.D.

STAFF PRESENT:

Gail Yu, Assistant Attorney General
Bonnie King, Director, Health Professions Quality Assurance
Karl Hoehn, Legal Services Manager
Judy Haenke, Program Manager

OTHERS PRESENT:

Jeffrey Forrey, O.D., Optometry Physicians of Washington
Earl Tower, Tower and Associates

ORDER OF AGENDA

OPEN SESSION:

9:00 a.m. Call to Order

1 Approval of Agenda

The agenda was approved with the following changes:

- Item 14 was moved to closed session.
- A survey from the National Board of Examiners in Optometry related to examination retakes was added to Item 17.

2. Approval of Minutes

The minutes of the June 9, 2006, meeting were approved as written.

REPORTS

3. Jeffrey Sutro, O.D., Chair, provided the following comments.
 - Dr. Sutro reminded the Board that if members are contacted about disciplinary matters, they should not respond to current open cases.
 - The use of the Drug Enforcement Administration (DEA) Numbers is meant to be used for prescribing of controlled substances, not to verify prescribing authority for insurance coverage. This matter will be included on a future agenda for discussion. A member of the Board of Pharmacy or Board staff will be invited to attend to participate in the discussion.
 - Current budget figures indicate that the program is overspent based on current allotment and expenditures. There is money that is not available without specific allotment authority.
4. Lisa Salmi, Acting Executive Director
Not present.
5. Judy Haenke, Program Manager reminded the Board of the September 28-29, Annual Board Commission and Committee Conference. The title for the conference is “The Patient Safety Partnership” Board and Commission members will attend the afternoon of September 28, and the full Board will attend on September 29. Members who plan to attend include Lund Chin, O.D., Laura Toepfer, O.D., and Mary Lou Staples, Public Member.
6. Mariann Tonder, O.D. Association of Regulatory Board of Optometry, Annual Meeting. Dr. Tonder represented the Board at the 2006 Annual meeting held in Las Vegas in June. Dr. Tonder provided highlights of the meeting’s activities including:
 - Board Member Training
 - National Board of Examiners in Optometry Workshop
 - Study of Complications Associated with Invalid Contact Lens Prescriptions
 - Member Board Reports
 - Top Regulatory Cases
 - American Optometric Association (AOA)
 - AOA State Government Relations Center
7. Post-Graduate Seminar – March 2007
The Board discussed the seminar plans for March 2007. Board rules allow for the seminar to be provided when financially possible. Due to current budget constraints, there is not sufficient funds to cover the cost of the seminar. In order to present the 2007 seminar, the Board agreed that for the 2007 seminar only, a fee would be charged to participants in an amount to cover the seminar costs only. It is estimated that the fee to licensees for the two-day seminar will be between \$15.00 and \$25.00. The amount will be determined when the costs are more accurately known.

The seminar will be held for eight hours on Saturday, March 17, and five hours on Sunday, March 18, 2006, for a total of thirteen continuing education hours. Les Walls,

O.D., M.D., from Southern California College of Optometry and Craig Smith, M.D., have been confirmed as speakers.

8. Continuing Education

8.1 The Board reviewed the following continuing education courses.

Thomas Riley, O.D. presented the following courses to the Board for approval.

Paul S. Jensen, OD, Dry Eye Treatment, Put a Plug in It. Approved for ten (10) hours. Published in Review of Optometry, May 15, 2006.

Irene L. Yang, OD, Presentation of Visual Aids for Distance Viewing approved for one (1) hour and presentation of Eccentric Viewing approved for two (2) hours at the Pacific Northwest Association for AER Spring Vision conference. Approval of eleven (11) hours for attendance and participation at the conference was deferred pending additional information.

Diane Humphreys, Group Health Cooperative, Dermatology for Primary Care Providers approved for six (6) hours. To be presented October 19, 2006 Seattle WA.

Bill Lusk, Virginia Mason Medical Center, Recognition of Optic Nerve Structure Changes in Glaucoma and its Effects on Visual Fields. Approved for one (1) hour. Presented September 19, 2006 in Seattle WA.

Spokane Eye Clinic, Colleen Daley, 2006 Fall Ophthalmology Update to be presented October 7, 2006 in Spokane WA. Approved for four (4) hours.

Weon Jun, Portland VA Hospital VISN 20 Grand Rounds Ocular Dermatology, An Overview of Management for Rheumatic Disease, Coding Eye Exams and Ocular Hypertension. Approved for one (1) hour each. Total of four (4).

Pacific Cataract and Laser Institute, New Technology IOLs, April 12, 2006. 2 Hours

Pacific Cataract and Laser Institute, Current Challenges in Eye Care, April 25, 2006. 1 Hour

Pacific Cataract and Laser Institute, Oral Medications in Eye Care/Glaucoma Imaging :HRT and You. April 26, 2006. 2 Hours

Pacific Cataract and Laser Institute, Understanding Your Medicare Patient, May 3, 2006. 1 Hour

Pacific Cataract and Laser Institute, A Grand Rounds Approach, May 4, 2006 2 Hours

Pacific Cataract and Laser Institute, Cataract and Refractive Surgery Have Joined Hands, May 15, 2006. 2 Hours

Pacific Cataract and Laser Institute, The Ever-changing World of Laser Vision Correction. May 23, 2006 2 Hours

Pacific Cataract and Laser Institute, Cataract Surgery and Presbyopia-correction IOLs. 2 Hours

Pacific Cataract and Laser Institute, New Ideas in Glaucoma Management, June 22, 2006 2 Hours

Pacific Cataract and Laser Institute, What You Need to Know About A PVD, May 24, 2006 1 Hour

Pacific Cataract and Laser Institute, Building a Therapeutic Sub-specialty by Treating Dry Eye Disease, June 14, 2006, 2 Hours

8.2 Laura Toepfer, O.D. volunteered to review continuing education courses for the next quarter, to end December 1, 2006.

9. Opioid Presentation. Information

The Board heard an update on the collaborative development of the interagency guideline on opioid dosing for chronic non-malignant pain.

11:00 a.m. RULES HEARING

10. Proposed Rule Making WSR 06-16-116, Filed August 1, 2006.

Jeffrey Sutro, O.D, presided over the hearing. The purpose of the hearing was to solicit comments for the proposed rules. The Proposed rules implement ESSB 5535, enacted by the 2006 legislature. The bill requires that all optometrists be qualified at the highest level of licensure by January 1, 2011. The highest level of licensure includes topical and oral prescribing and injection of epinephrine for anaphylactic shock. The bill also provides for an inactive status. The rules will set forth the timetable for implementation to include that all optometrists receiving their initial license after January 1, 2007, must be licensed at the highest level; all persons currently licensed must be certified for topical pharmaceuticals by January 1, 2009; and that all persons currently licensed must be licensed at the highest level by January 1, 2011.

No testimony was received subsequent to filing the Notice of Hearing, CR102, with the Office of the Code Reviser.

Following the hearing, the Board moved to adopt the rules as filed. Staff will prepare the necessary documents.

PRESENTATIONS:

11. Bonnie King, Director of Health Professions Quality Assurance

Bonnie king, Director of Health Professions Quality Assurance, presented an update on the ongoing Health systems Quality Assurance Organizational realignment.

- 12. Karl Hoehn, Legal Services Manager, - Disciplinary Process Update**
Karl Hoehn, Legal Services Manager, gave an update on monitoring and enforcement of compliance cases, sanction guidelines and an overview of Substitute House Bill 2974.

DISCUSSION:

- 13. Optometry Jurisprudence Questionnaire.**
The Board reviewed updates and revisions to the current jurisprudence examination. Staff will include the final revisions.
- 14. Correspondence**
Moved to closed session.
- 15. Delegation of Investigation Decision Making to Staff.**
The Board discussed whether to delegate the authority to initiate an investigation when information is received that a licensee may have engaged in unprofessional conduct. This delegation must be authorized by Board rule. Following discussion, the Board moved that it would not delegate authority of investigation decision making to staff. This authority will remain solely with the Board.
- 16. Signature Delegation.**
The Board updated the current signature delegation for disciplinary and rules documents to reflect Acting Executive Director, Lisa Salmi.
- 17. National Board of Examiners in Optometry (NBEO) Examination Restructure.**
The NBEO has released the NBEO Examination Restructure Task Force Report which summarizes the plans for a restructuring of the Nation Boards. NBEO requested input from the Board in response to the proposed restructure of the National Board Exams.
- Following Discussion, the Board requested additional information from NBEO related to how third year students who are away from the universities on externships can be included in the Part III, and whether the TMOD is still embedded and can be extracted as an individual exam.
- 18. Oregon Board of Optometry Advanced Ocular Therapy Course**
The Board reaffirmed its January 2004 decision that the Oregon Advanced Ocular Therapy didactic course meets the Washington State didactic training requirements for certification for using or prescribing drugs administered orally for diagnostic and therapeutic purposes with exceptions. The Board does not approve a passing score on the 2002 or later TMOD section of the NBEO examination, and a CPR certification as meeting the Washington State didactic training requirements for certification for using or prescribing drugs administered orally for diagnostic and therapeutic purposes.
- 19. Open Forum**
Jeffrey Forrey, O.D., greeted the Board and commented that some issues still remain from when he served on the Board.

20. Other Open Session Business

None

CLOSED SESSION:

21. Review of License Applications

The Board reviewed and approved three licensure applications, two for initial licensure and one for reinstatement.

22. Disciplinary Case Review

None to review

23. Adjournment

The meeting was adjourned at 4:00 p.m.

Respectfully submitted: _____
Judy Haenke, Program Manager

Approved: _____
Jeffrey Sutro, O.D., Chair